

REMARKS

I. Introduction

With the addition of new claims 38 and 39, claims 18 and 20 to 39, are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejections of Claim 18 Under 35 U.S.C. § 112

Regarding the rejections of claim 18 under 35 U.S.C. § 112, first and second paragraphs, although the merits of these rejections are not necessarily agreed with, to facilitate matters, the phrase “wherein a distance sensor is adapted to determine a distance traveled by the radar device as a function of a distance of movement of the radar device” has been deleted, thereby rendering moot these rejections. Withdrawal of these rejections is therefore respectfully requested.

III. Rejection of Claims 18 to 37 Under 35 U.S.C. § 103(a)

Claims 18 to 37 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 5,680,048 (“Wollny”) and Doerksen, “*Improved Optical Positioning for GPR Based Structure Mapping*”, Ninth International conference on Ground Penetrating Radar, Proceedings of SPIE Vol. 4758 (2002), pp. 503-507 (“Doerksen”). It is respectfully submitted that the combination of Wollny and Doerksen does not render unpatentable the present claims as amended herein for at least the following reasons.

Claims 18 and 28 have been amended herein without prejudice to recite that the information about the object enclosed in the medium includes position and depth information. Support may be found, for example, on page 2, lines 21 to 23 of the Specification. Neither Wollny nor Doerksen discloses, or even suggest, this feature. Indeed, it does not appear possible to obtain depth information with the device described by Wollny. In this regard, Wollny clearly describes, e.g., at col. 4, lines 56 to 59 that it is important to prevent the module 101 from touching the ground in that touching the ground could result in detonation of a mine on, flush with, or below the ground’s surface. Without contact to the ground, it would appear difficult, if not impossible, to resolve depth information. In any event, Wollny does not disclose, or even suggest, obtaining depth information. Referring to Doerksen, it is

notable that Doerksen states at page 504 that it is **important** that the sensor remains **in physical contact with** the surface under survey. As indicated above, however, Wollny is directed to mine detection, which specifically requires a two to four inch clearance as described, for example, at col. 7, lines 8 to 20. Adding the features of Doerksen to the mine detection device of Wollny would thus require the mine detection device to remain in physical contact with the ground. This would render the mine detection device entirely unsuitable for its intended purpose. As such, both Wollny and Doerksen teach away from their combination.

In view of the foregoing, it is respectfully submitted that the combination of Wollny and Doerksen does not render unpatentable the present claims. Withdrawal of this rejection is therefore respectfully requested.

IV. New Claims 38 and 39

Claims 38 and 39 have been added herein. New claims 38 and 39 do not add any new matter and are fully supported by the present application, including the Specification. Claims 38 and 39 ultimately depend from claim 18, and are therefore allowable for the same reasons as claim 18.

V. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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